

MELINDA HAAG, CSBN 132612  
United States Attorney

JOANN M. SWANSON, CSBN 88143  
Assistant United States Attorney  
Chief, Civil Division

MELANIE L. PROCTOR, 228971  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-6730  
FAX: (415) 436-7169  
E-mail: melanie.proctor@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

24/94 kg bags, more or less, of an article of  
food, labeled in part:  
"\*\*\* SENNA PODS \*\*\* PRODUCE OF  
INDIA \*\*\* NETT 94 KGS \*\*\* Item#  
W1520 \*\*\* Lot # 110220 \*\*\*  
Nt. Wt. # 211.2 LBS \*\*\* Country  
of Origin: INDIA \*\*\*"

and

all other articles of food in various sizes and  
types of containers (excluding metal and  
glass containers) that are located anywhere  
on the premises of San Francisco Herb and  
Natural Food Company, 47444 Kato Road,  
Fremont, California, which are unlabeled or  
affixed with labels bearing, among other  
things, the name and address of the  
manufacturer, packer, or distributor located  
outside the State of California, or which are  
otherwise determined to consist in whole or  
in part of components that have originated  
from outside the State of California,

Defendants.

**FILED**

**AUG 20 2012**

**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA

No. C 12-4369 EDL

WARRANT FOR ARREST IN REM

WARRANT  
No. C 12-4369 EDL

1 **TO THE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF**  
2 **CALIFORNIA:**

3 WHEREAS, a Verified Complaint for Forfeiture has been filed in this Court on  
4 August 20, 2012, by the United States of America by and through the United States Attorney for  
5 the Northern District of California, an action in rem, against the above-captioned property,  
6 Defendant, hereinafter referred to as "the property," alleging that the articles of food are  
7 adulterated while held for sale after shipment of one or more of their components in interstate  
8 commerce, within the meaning of the Act, 21 U.S.C. 342(a)(4), in that they have been prepared,  
9 packed and held under insanitary conditions whereby they may have become contaminated with  
10 filth.

11 For the reasons and causes mentioned in said Verified Complaint of the United States for  
12 Forfeiture; and said complaint further praying for the issuance of a warrant for the arrest of the  
13 property to be had and that all persons having right, title, or interest therein be cited to appear and  
14 show cause why the defendant property should not be condemned as forfeited to the UNITED  
15 STATES;

16 NOW THEREFORE, warrant of arrest hereby issues and all persons having an interest or  
17 right therein shall be cited to appear and answer all matters propounded in the complaint, and  
18 why this Court should not order and decree the condemnation and forfeiture of the property.

19 YOU ARE THEREFORE COMMANDED, on finding of probable cause, to arrest the  
20 property described above and take it into your possession, if practicable, for safe custody as  
21 provided by Rule G(3)(b)(ii), Supplemental Rules for Certain Admiralty and Maritime Claims,  
22 and otherwise appropriately personally execute service of process against such property in  
23 conformity with Rule G(3)(b)(ii) of the Supplemental Rules of Certain Admiralty and Maritime  
24 Claims, and to make your due and prompt return as provided by law. If the situation of the  
25 property is impracticable, you shall execute a seizure in place, leaving a copy of this Warrant  
26 with the person having possession or his agent.

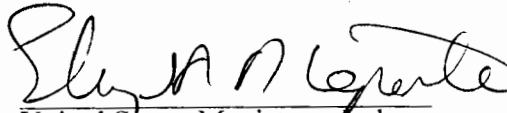
27 YOU ARE FURTHER ORDERED to cause publication of public notice as to the filing  
28 of the Complaint for Forfeiture herein and the arrest of the property, as required by Rule G(4) of

1 the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules for  
2 Civil Procedure. Such notice shall provide, inter alia, that any claimant of, in, or to said property  
3 must file a verified statement of interest therefor in this action with the Clerk of the United States  
4 District Court, Northern District of California, San Francisco, California on or before 10:00 a.m.,  
5 within thirty (30) days from the date of last publication of the notice. Such claimant shall serve  
6 an answer to plaintiff's Complaint within twenty (20) days after the filing of a verified statement  
7 of interest as provided by Rule G(5) of the Supplemental Rules for Certain Admiralty and  
8 Maritime Claims of the Federal Rules for Civil Procedure.

9 YOU ARE FURTHER ORDERED, promptly after execution of this process, to file the  
10 same in this Court with your return thereon, identifying the individuals who received copies of  
11 this matter and the manner employed.

12 U.S. District Court

13  
14 DATED: Aug 20, 2012

  
United States Magistrate Judge  
U.S. District Court  
Northern District of California